



United States Department of the Interior
Bureau of Indian Education
Albuquerque Service Center
Division of Performance and Accountability
1011 Indian School Road NW, Suite 332
Albuquerque, New Mexico 87104

IN REPLY REFER TO:

NOV 03 2010

Memorandum

To: Education Line Officers

From: Associate Deputy Director, Division of Performance and Accountability

Subject: Revised Special Education Dispute Resolution Forms (November 2, 2010)

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This is to rescind the memorandum dated July 26, 2010.

Under the Individuals with Disabilities Education Act (IDEA) 2004, either a parent or a school may file a complaint and request for a due process hearing or mediation. There is also a process to make a State complaint that can be filed by an organization or individual. The three forms have been revised and are posted on the Bureau of Indian Education (BIE) website (<http://www.bie.edu>). The three forms are:

- Request for Mediation;
- Request for Due Process Hearing; and
- State Complaint.

Written notification will be given at a later date on the posting of information in regards to the BIE dispute resolution procedures.

The forms were revised to meet the IDEA 2004 content requirements for filing a complaint. However, neither parents nor schools are required to use the form to file a due process or State complaint. When filing a complaint, parents and schools may use the form provided by the BIE, another form or different document, as long as the form or document meets the IDEA 2004 content requirements for a due process hearing or State complaint as applicable.

You are requested to disseminate this information to the schools within your education line office and in turn, the school administrator is to be instructed to forward the information to their school staff and parents. If you have any questions or are in need of further information, please contact Gloria Yepa, Supervisory Education Specialist, at (505) 563-5264 or by e-mail at gloria.yepa@bie.edu.

Cc: DPA files
Associate Deputy Director East
Associate Deputy Director Navajo
Associate Deputy Director West